

Serial No. 44550

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. ~~OCT--1-1981-~~ NEW PRIORITY DATE: NOV 20 2001

Returned to applicant for correction.

Corrected application filed. Map filed. OCT 1 1981

The applicant. See Exhibit "A"
c/o Howard A. Schlundt
146 E. 4th St. of Perris City or Town
CA 92370 State and Zip Code No. hereby make application for permission to change the

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 11237, Certificate 4084
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is McAfee Creek
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 8.47 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 4 S., R. 35 E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M. or at a point from which the NW $\frac{1}{4}$ Cor. of said Sec. 2 bears N 58° 59' E
distance to a section corner. If on unsurveyed land, it should be stated.
a distance of 2664.4 feet.

6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2, T. 4 S.,
If point of diversion is not changed, do not answer.
R. 35 E. M.D. B.&M., or at a point from which the SE Cor. of Sec. 35, T. 3 S.,
T. 35 E., bears N 78° 10' E., 6,860 ft.

7. Proposed place of use See exhibit "B" attached
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 40.0 ac in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 26.5 ac. in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 78.5 ac
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
in the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14; 40.0 ac. in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 28.8 ac. in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
19.0 ac. in the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; 80.0 ac. in the W $\frac{1}{2}$ NW $\frac{1}{4}$, 160.0 ac. in the
(continued on page 2)

9. Use will be from March 1 to October 31 of each year.
Month and Day Month and Day

10. Use was permitted from March 1 to October 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Diversion box, ditches & pipeline
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$20,000

13. Estimated time required to construct works 3 yrs

14. Estimated time required to complete the application of water to beneficial use 5 yrs
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The total combined acreage under this application and application
to change 2976, 3259 and 18066 shall not exceed 406.94 Ac.

By s/Bruce L. Rice
Bruce L. Rice, P.E.
P.O. Box 642
Bridgeport, CA 93517

Compared js/ ja/bt

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of McAfee Creek as heretofore granted under Permit 11237, Certificate 4084, is issued subject to the terms and conditions imposed in said Permit 11237, Certificate 4084, and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

The point of diversion of the permit is in the State of California; therefore, the State of Nevada has no jurisdiction over the point of diversion.

The total combined duty of water under Permits 44540, 44541, 44542, 44543, 44544, 44545, 44546, 44547, 44548, 44549, and 44550 shall not exceed 5,888.5 acre-feet annually.

This permit totally abrogates Permit 11237, Certificate 4084.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 8.47 cubic feet per second, but not to exceed 2,033.2 acre-feet seasonally.

Work must be prosecuted with reasonable diligence and be completed on or before August 25, 1983

Proof of completion of work shall be filed before September 25, 1983

Application of water to beneficial use shall be made on or before August 25, 1986

Proof of the application of water to beneficial use shall be filed on or before September 25, 1986

Map in support of proof of beneficial use shall be filed on or before September 25, 1986

Completion of work filed OCT 24 1983 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed _____ my office, this 25th day of AUGUST

Certificate No. _____ Issued _____ A.D. 19 82


State Engineer

2407 (Rev. 6-81)
CANCELLED NOV 07 2001 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Lucas, P.E. STATE ENGINEER
Can. Rescinded 12-30-02

8. Existing place of use (Continued)

SW $\frac{1}{4}$, Sec. 24; 80.0 ac. in the E $\frac{1}{2}$ NW $\frac{1}{4}$, 31.2 ac. in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 34.0 ac. in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 19.1 ac. in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 13.0 ac. in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25; 40.0 ac. in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40.0 ac. in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 40.0 ac. in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 30.6 ac. in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 9.0 ac. in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.4 ac. in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 14.0 ac. in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, all in the T. 3 S., R. 35 E., M.D.B. & M.

EXHIBIT "A"

Applicants:

Frank E. Smith (1/3 interest)

Russell F. & Betty L. Schlundt (1/3 interest)

Howard A. & Christena L. Schlundt (1/6 interest)

Howard A. Schlundt (1/6 interest)

EXHIBIT "B"

Proposed Place of Use:

406.94 ac. within portions of the following described lands

Sec.	Subd.	T.	R.
14	SW ¹ / ₄ NE ¹ / ₄	3S	35E
14	N ¹ / ₂ SE ¹ / ₄	3S	35E
14	SE ¹ / ₄ SE ¹ / ₄	3S	35E
23	E ¹ / ₂ NE ¹ / ₄	3S	35E
23	SE ¹ / ₄	3S	35E (That portion East of Nevada State <u>Hiway</u> 3-A)
24	W ¹ / ₂ NW ¹ / ₄	3S	35E
24	SW ¹ / ₄	3S	35E
25	NW ¹ / ₄	3S	35E
25	N ¹ / ₂ SW ¹ / ₄	3S	35E
26	E ¹ / ₂ NE ¹ / ₄	3S	35E (That portion East of Nevada State <u>Hiway</u> 3-A)
26	NE ¹ / ₄ SE ¹ / ₄	3S	35E " " "